

# Public Participation in TMDL Projects

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## Texas Projects Texas Style

Texas Commission On Environmental Quality  
Strategic Assessment Division  
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# Why Involve Stakeholders?

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# Why Involve Stakeholders?

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- Better solutions with broader participation
- Increase understanding of issues, possible solutions, and constraints
- Build support for necessary management measures
- Multiple parties may be needed to implement solutions



# Who Are Stakeholders?

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- All individuals or organizations in the watershed who:
  - live in the watershed or use the water resource
  - are significant contributors of impacts
  - may be required to carry out control measures
  - can help to develop or implement actions
  - have statutory or regulatory responsibilities
  - are significantly affected by the problem(s)
  - are directly affected by project outcomes



# Levels of Participation

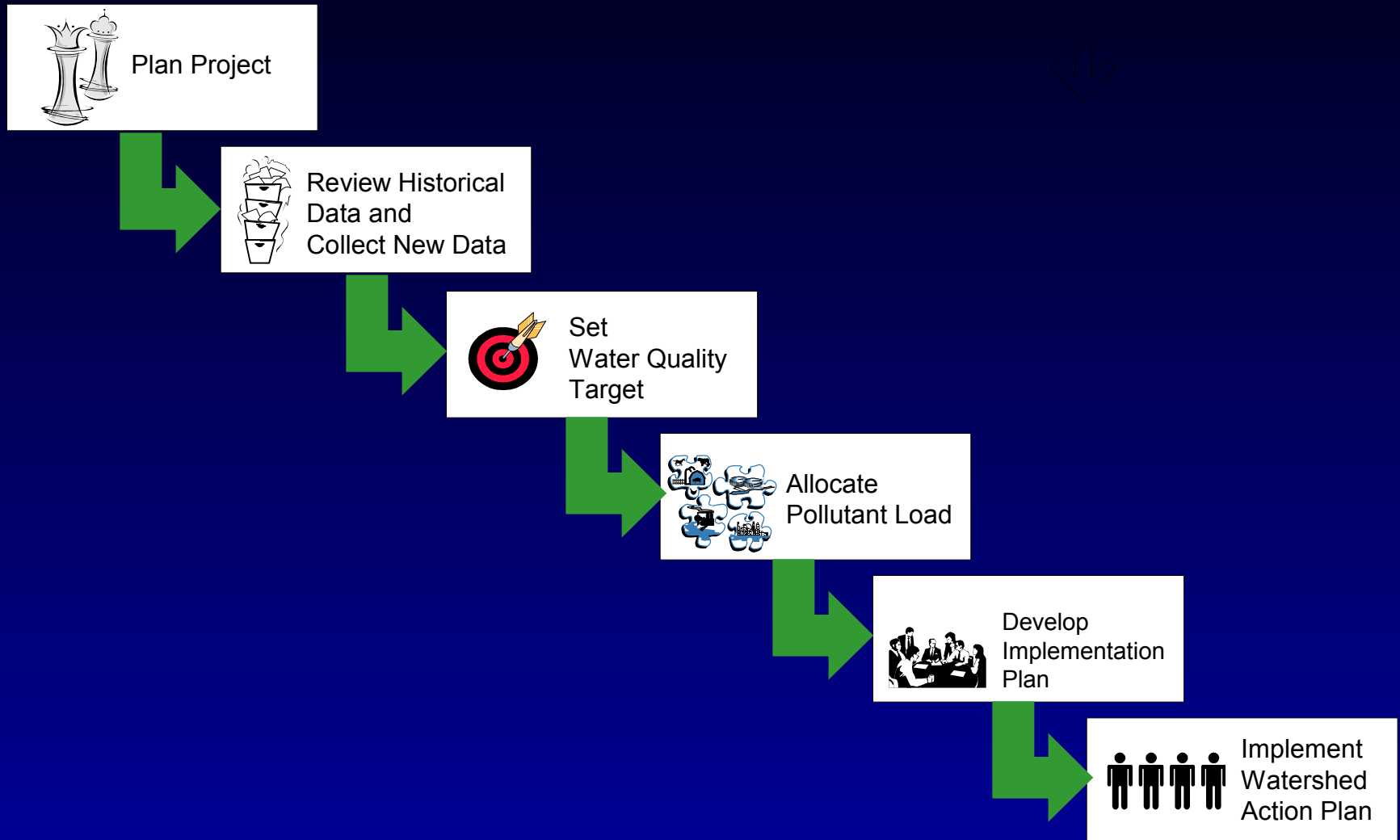
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- **Involve** – Inform stakeholders and give them the opportunity to comment
- **Consult** – Work with stakeholders to ensure they understand the issues and their ideas are considered
- **Collaborate** – Stakeholders provide advice and innovation in formulating the project and share in the decision-making



# Milestones in the TMDL Process

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# Determining the Right Level

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**Involve**

**Consult**

**Collaborate**

Your project may stay at one level of participation throughout, or may move along the continuum from start to completion.

Evaluate your project at the beginning, and at each milestone in the TMDL development process, to determine the right level.



# At Involve Level

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- All projects must provide for at least this basic level of participation
- Commitment to stakeholders:
  - Inform stakeholders and give them the opportunity to comment
  - Solicit formal public comment on the load allocation and implementation plan
  - Provide feedback on how comments influence decisions





# Involve – Forums and Tasks

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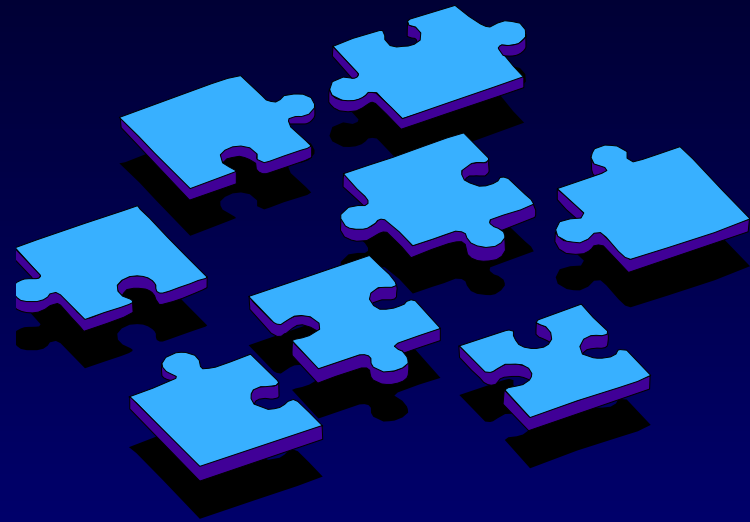
- Clean Rivers Program Contractor and Basin Steering Committee
- Other existing forums — include all sectors
- Publish formal public comment periods in the *Texas Register* and on the TNRCC Web site



# Involve – Tools

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- Project overviews
- Web site
- Presentations
- *Texas Register*
- Response to comments



# Choosing to Consult

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- Is the water body a priority for stakeholders or political leaders?
- Does the project have potential to affect a large number of people?
- Are there a variety of approaches or solutions to the problem?
- Is it certain that a load allocation will be needed?



# At Consult Level

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- Commitment to stakeholders:
  - All from Involve, plus:
  - Work with stakeholders to ensure they understand the issues and their ideas are considered
  - Solicit stakeholder comment at each milestone in the project's development



# Consult – Forums and Tasks

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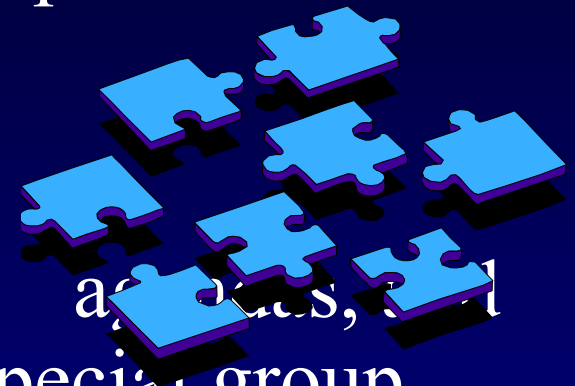
- Use existing group if representation is balanced
- Form a stakeholder group with balanced representation
- Ensure representation at state, basin, and watershed level
- Hold meetings at each milestone in the project's development



# Consult – Tools

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- All the tools from the Involve level, plus:
- Structured committee/work group
- Established ground rules
- Facilitator recommended
- Publish meeting dates, minutes on TCEQ Web site if special group formed



# Choosing to Collaborate

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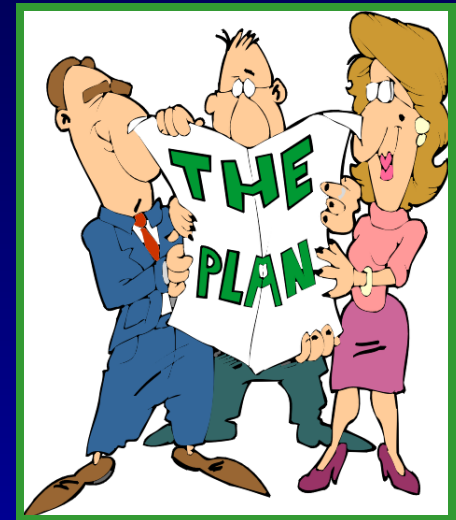
- Are stakeholders willing to devote the time needed?
- Does the TCEQ have time and resources to support the group?
- Is implementation likely to require significant voluntary management measures?



# At Collaborate

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- Commitment to stakeholders
  - All from Involve and Consult, plus:
  - Stakeholders provide advice and innovation in formulating the project and share in decision making
  - Incorporate stakeholder suggestions to the maximum extent possible within legal and technical constraints





# Collaborate – Forums and Tasks

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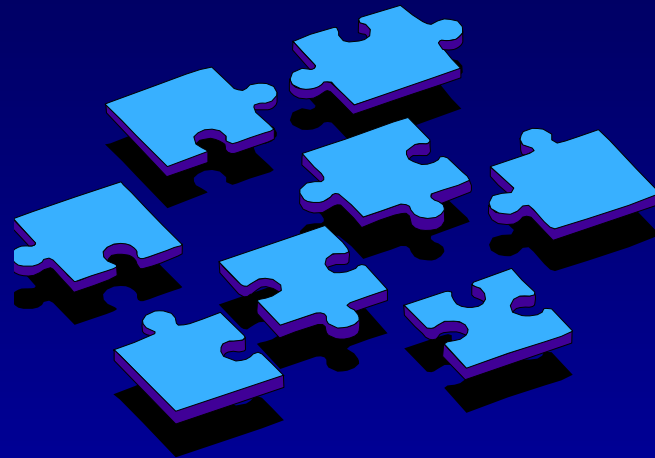
- All from Involve and Consult, plus:
- Hold regular meetings timed to allow for maximum possible participation in all project phases
- Technical advisory subcommittee may be needed



# Collaborate – Tools

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- All from Involve and Consult, plus:
- Facilitator required
- Public outreach in the watershed in concert with other agencies (may use existing materials)



# Forming a Stakeholder Group

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## ➤ Selecting Members

- Systematically identify stakeholders; develop a draft list with balanced representation
- Refine the list by consulting with members of existing forums and agencies
- Maximize group effectiveness and size; members must be empowered to speak and act
- Invite members, formalize commitment
- Establish and maintain a roster of members



# Balanced Representation

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Membership represents a diversity of viewpoints on issues to be discussed

- Geography
- Income levels
- Ethnicity
- Business (different types and sizes)
- Governments (different sizes and levels)
- Associations, trade groups, organizations
- Consumer and public interest groups
- Industries or occupations regulated and affected



# Operating the Stakeholder Group

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- TCEQ Approval
  - Formation of group
  - Membership
- Conduct of Meetings
  - Open, inclusive
  - Ground rules and structure
  - Agendas and minutes



# Operating the Stakeholder Group

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- Informing the public
  - TCEQ Web site
  - Your Web site (optional)
  - Prior notice of meetings and agendas
  - Posting of meeting minutes and attendance
- Legal Basis — House Bill 2912, Section 1.10, Section 5.07 Texas Water Code



[www.tceq.state.tx.us/water/  
quality/tmdl/](http://www.tceq.state.tx.us/water/quality/tmdl/)



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